



Sector #

Docket No.: NHL-SCT-16
Serial No.: 09/727,998

THE UNITED STATES PATENT AND TRADEMARK OFFICE

EXAMINER: (NOT YET RECEIVED)
ART UNIT: 1731
SERIAL NO.: 09/727,998
FILING DATE: December 1, 2000
INVENTORS: Ina MITRA, Danuta GRABOWSKI, Uwe KOLBERG, and
Paul KISSL
TITLE: ZINC-CONTAINING OPTICAL GLASS MATERIALS

Greensburg, Pennsylvania 15601

Assistant Commissioner for Patents
Washington, D.C. 20231

March 16, 2001

BOX MISSING PARTS

TRANSMITTAL LETTER

Sir:

Please find enclosed herewith the following documents
relating to the above-cited case:

1. a Response to Notice to File Missing Parts of
Nonprovisional Application having two pages;
2. a copy of Notice to File Missing Parts of
Nonprovisional Application;
3. an executed Declaration and Power of Attorney document
attached to the patent application;
4. a check for \$876.00 representing \$710.00 for the basic
filing fee, \$130.00 for the large entity surcharge
fee, and \$36.00 for additional claim fees;
5. a certified copy of Federal Republic of Germany Patent
Application No. 199 58 522.9;
6. an Information Disclosure Statement (Form PTO-1449);
7. copies of art (16) cited in the Information
Disclosure Statement;
8. a copy of a German Office Action from the corresponding
German application and an English translation thereof;
9. an Authorization to Withdraw from Deposit Account and a
duplicate copy thereof; and
10. a stamped, self-addressed postcard, return of which is
requested to acknowledge receipt of the enclosed
documents.

NHL:ksm/vwt

SCT-16 05/SCT034

TRANSMITTAL LETTER
Page 2

It is believed that no additional fee is required to file the enclosed documents.

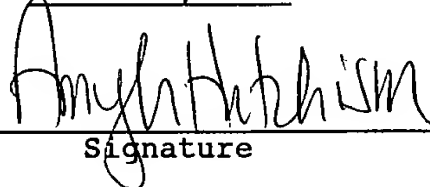
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on March 16, 2001.

Respectfully submitted,



Nils H. Ljungman, Esq.
Attorney for Applicants
Reg. No. 25,997
Nils H. Ljungman & Associates
P.O. Box 130
Greensburg, PA 15601-0130
Telephone: (724) 836-2305
Facsimile: (724) 836-2313

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on March 16, 2001.


Signature

Amy L. Hutchison
Name of person mailing paper or fee

March 16, 2001
Date



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Greensburg, Pennsylvania 15601

Assistant Commissioner for Patents
Washington, D.C. 20231

March 16, 2001

BOX MISSING PARTS

RESPONSE TO NOTICE TO FILE MISSING
PARTS OF NONPROVISIONAL APPLICATION

Sir:

A Notice to File Missing Parts of Nonprovisional Application, mailed on January 18, 2001, a copy of which is enclosed herewith, requires that a basic filing fee of \$710.00, a large entity surcharge fee of \$130.00, additional claim fees of \$36.00, and a Declaration signed by the inventors be submitted by March 18, 2001, which is two months from the mailing date of the Notice to File Missing Parts of Nonprovisional Application, relating to the above-cited patent application.

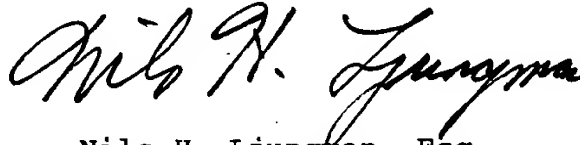
This case was filed without a Declaration because an application with a Declaration attached thereto was not received by the Attorney of Record by the Convention Date. The application with the attached and signed Declaration was received subsequent to the filing date and is enclosed herewith in order to comply with the filing requirements. Priority was claimed under 35 U.S.C. §119 at the time of filing of the above-cited application.

As requested by the Notice to File Missing Parts of Nonprovisional Application, all required documents are enclosed herewith.

If mailed, I, the person signing this certification below, hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date indicated in the certification of mailing on the transmittal letter sent herewith, or if facsimile transmitted, I, the person signing this

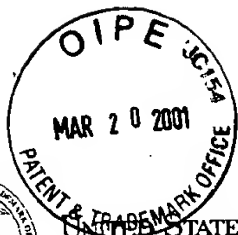
certification below, hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated in the certification of facsimile transmission on the transmittal letter which is being facsimile transmitted herewith.

Respectfully submitted,



Nils H. Ljungman, Esq.
Attorney for Applicants
Reg. No. 25,997
Name of Person signing certification
Nils H. Ljungman & Associates
P.O. Box 130
Greensburg, PA 15601-0130
Telephone: (724) 836-2305
Facsimile: (724) 836-2313

#3



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/727,998	12/01/2000	Ina Mitra	NHL-SCT-16

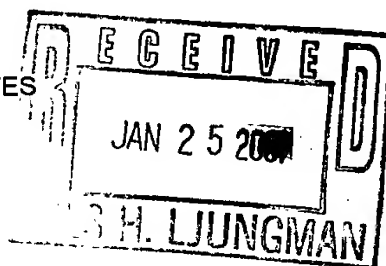
CONFIRMATION NO. 7293

FORMALITIES LETTER



OC000000005687737

NILS H. LJUNGMAN
NILS H. LJUNGMAN & ASSOCIATES
P. O. BOX 130
GREENSBURG, PA 15601



Date Mailed: 01/18/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION


FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$36.
 - \$36 for 2 total claims over 20.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 876.

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/22/2001 AWDNDRA1 00000097 09727998
710.00 OP
130.00 OP
36.00 OP
01 FC:101
02 FC:105
03 FC:103

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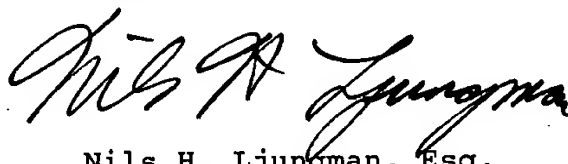
BOX MISSING PARTS

AUTHORIZATION TO WITHDRAW FROM DEPOSIT ACCOUNT

Sir:

If a fee is required to avoid abandonment, the Commissioner is hereby authorized to charge any fee, or credit any overpayment, to Deposit Account No. 12-1758. A duplicate copy of this authorization is enclosed.

Respectfully submitted,



Nils H. Ljungman, Esq.
Attorney for Applicants
Reg. No. 25,997
Nils H. Ljungman & Associates
P.O. Box 130
Greensburg, PA 15601-0130
Telephone: (724) 836-2305
Facsimile: (724) 836-2313

Deutsches Patent- und Markenamt

München, den 25. Juli 2000

Telefon: (0 89) 21 95 - 4290

Deutsches Patent- und Markenamt · 80297 München

Aktenzeichen: 199 58 522.9-45

Ihr Zeichen: P 1315

Anmeldernr.: 9320032

Schott Glas

Schott Glas
Hattenbergstr. 10
55122 Mainz

Ab	Schott Patente		Bn
Pr	Ph		Kr
W	03. Aug. 2000		Sp
U	Amt	03. 12. 00	Gr
Gr	Int:	25. 11. 00	Gr
MRz	not. fa		

Bitte Aktenzeichen und Anmeldernr. bei
allen Eingaben und Zahlungen angeben

Zutreffendes ist angekreuzt ☒ und/oder ausgefüllt

Prüfungsantrag, wirksam gestellt am 04. Dezember 1999

Eingabe vom

eingegangen am

Die weitere Prüfung der oben genannten Patentanmeldung hat zu dem nachstehenden Ergebnis geführt.

Zur Äußerung wird eine Frist

von vier Monaten

gewährt, die mit der Zustellung beginnt.

Für Unterlagen, die der Äußerung gegebenenfalls beigelegt werden (z.B. Patentansprüche, Beschreibung, Beschreibungsteile, Zeichnungen), sind je zwei Ausfertigungen auf gesonderten Blättern erforderlich. Die Äußerung selbst wird nur in einfacher Ausfertigung benötigt.

Werden die Patentansprüche, die Beschreibung oder die Zeichnungen im Laufe des Verfahrens geändert, so hat der Anmelder, sofern die Änderungen nicht vom Deutschen Patent- und Markenamt vorgeschlagen sind, im einzelnen anzugeben, an welcher Stelle die in den neuen Unterlagen beschriebenen Erfindungsmerkmale in den ursprünglichen Unterlagen offenbart sind.

☒ In diesem Bescheid sind folgende Entgegenhaltungen erstmalig genannt (bei deren Nummerierung gilt diese auch für das weitere Verfahren): - siehe nächste Seite -

Hinweis auf die Möglichkeit der Gebrauchsmusterabzweigung

Der Anmelder einer nach dem 1. Januar 1987 mit Wirkung für die Bundesrepublik Deutschland eingereichten Patentanmeldung kann eine Gebrauchsmusteranmeldung, die den gleichen Gegenstand betrifft, einreichen und gleichzeitig den Anmeldetag der früheren Patentanmeldung in Anspruch nehmen. Diese Abzweigung (§ 5 Gebrauchsmustergesetz) ist bis zum Ablauf von 2 Monaten nach dem Ende des Monats möglich, in dem die Patentanmeldung durch rechtskräftige Zurückweisung, freiwillige Rücknahme oder Rücknahmefiktion erledigt, ein Einspruchsverfahren abgeschlossen oder - im Falle der Erteilung des Patents - die Frist für die Beschwerde gegen den Erteilungsbeschluss fruchtlos verstrichen ist. Ausführliche Informationen über die Erfordernisse einer Gebrauchsmusteranmeldung, einschließlich der Abzweigung, enthält das Merkblatt für Gebrauchsmusteranmelder (G 6181), welches kostenlos beim Patent- und Markenamt und den Patentinformationszentren erhältlich ist.

P 2401
04/99
12 98

Annahmestelle und
Nachbriefkasten
auf
Zweibrückenstraße 12

Dienargebäude
Zweibrückenstraße 12 (Hauptgebäude)
Zweibrückenstraße 5-7 (Breitthof)
Cincinnatistraße 64
Rosenheimer Straße 118
Balanstraße 59

Hausadresse (für Fracht)
Deutsches Patent- und Markenamt
Zweibrückenstraße 12
80331 München

Telefon (089) 2195-0
Telefax (089) 2195-2221

Bank: Landeszentralbank München 700 010 54
(BLZ 700 000 00)

Internet-Adresse <http://www.patent-und-markenamt.de>

Schnellbahnanschluss im
Münchner Verkehrs- und
Trafikverbund (MVG):

Zweibrückenstraße 12 (Hauptgebäude),
Zweibrückenstraße 5-7 (Breitthof)
S1 - S8 Isartor

Rosenheimer Str. 118 / Balanstraße 69
Alle S-Bahnen Richtung Ostbahnhof, ab Ostbahnhof Bustinlen
45 / 95 / 96 / 198 Haltestelle Kustermannpark

Cincinnatistraße 64
S2 Fasangarten Bus 98 oder 99

199 58 522.9-45

25.07.2000

(1) EP 0 553 586 A1

Die Anmeldung betrifft nach Anspruch 1 zinkhaltige optische Gläser.

Zum Stand der Technik wird auf (1) hingewiesen. Die dort im Anspruch 1 bzw. in der Zusammenfassung angegebenen Zusammensetzungen können sich mit der anmeldungsgemäßen in zumindest allen obligatorisch vorhandenen Komponenten überschneiden, auch unter Berücksichtigung der am Ende des Anspruchs angegebenen Zusatzbedingungen hinsichtlich der Summe von Calcium-, Strontium- und Zinkoxid. Die Brechwerte überschneiden sich ebenfalls, Abbezahlen sind in (1) nicht angegeben, dürften aufgrund der Zusammensetzungen aber auch im anmeldungsgemäß angegebenen Bereich liegen.

Nachdem damit in Teilbereichen bereits bekannte Gläser Gegenstand des Anspruchs 1 sind, ist der Anspruch nicht gewährbar. Mit dem Anspruch 1 fallen die Unteransprüche.

Bei Weiterführung der Anmeldung ist ein gegen (1) sachlich abgegrenztes Patentbegehren einzureichen.

Aufgrund der geltenden Unterlagen kann die Patenterteilung nicht in Aussicht gestellt werden.

Prüfungsstelle für Klasse C 03 C



Dr. Mittereder

4481

Anl.: Abl. Der Entg. (1), 3-fach

German Patent and Trademark Office

Deutsches Patent- und Markenamt - 80297 Munich

Schott Glas
Hattenbergerstr. 10

55122 Mainz

Munich, July 25, 2000

Telephone: (089) 21 95 - 4290

Case No.: 199 58 522.9-45

Your Ref.: P 1315

Applicant No.: 9320032

Schott Glas

Please indicate the file number and the name of the applicant in all filings and payments!

The applicable items are checked ☒ and/or completed!

Request for examination, effectively filed on December 4, 1999

Filing dated _____ received on _____

The examination of the above-referenced patent application has led to the result indicated below

A term of:

four months

is extended, during which you may respond, and which begins on the date of this notification.

New documents that may be enclosed with your comments (e.g. patent claims, description, partial descriptions and drawings), must be presented in two copies each on separate pages. Only one copy of the response itself is required.

If the claims, the description or the drawings are amended during the process, and unless said amendments have been suggested by the German Patent and Trademark Office, the applicant must indicate individually at which point in the original documents the characteristics described in the new documents are disclosed.

☒ The following prior art publications are cited for the first time in this Office Action. (The numbering indicated below will also be used for the rest of the process): - see next page -

Notice of Possible Waiver for Utility Model Applications

An applicant for a patent application filed on or after January 1, 1987, for the Federal Republic of Germany may file a utility model application which relates to the same object, and may simultaneously claim the application date of the prior patent application. This waiver (§5 Utility Model Act) may be claimed up to 2 months after the end of the month in which the patent application was terminated by final rejection, voluntary retraction or effective retraction, the conclusion of an opposition procedure or - if a patent is issued - the period for opposition to the issue action has expired without any opposition having been registered. For complete information on the requirements for a utility model application, including the waiver, please refer to Instructions for Utility Model Applicants (G 6181), which is available free of charge from the Patent Office and the Patent Examination Offices.

P 2410
04.98
12.98

Filing office and after-hours
deliveries, Zweibrückenstr. 12
(Main Building) only

Service Buildings
Zweibrückenstr. 12 (Main Building)
Zweibrückenstraße 5-7 (Breitlerhof)
Cincinnatistraße 54
Rosenheimer Straße 118
Balanstraße 59

Receiving address (for freight
shipments):
Deutsches Patentamt
Zweibrückenstraße 12
80331 Munich

Telephone (089) 2195-0
Telefax: (089) 2195-2221

Bank:
Landeszentralbank München
700 010 54 (BLZ 700 000 00)

Internet address: <http://www.deutsches-patent-und-markenamt.de>

Nearest stop on the Munich
public transport system (MVG):

Zweibrückenstraße 12 (Main Building),
Zweibrückenstraße 5-7 (Breitlerhof)
81 - 88 Isarvor

Rosenheimer Str. 118 / Balanstraße 59
At S-Bahn toward Ostbahnhof, bus from Ostbahnhof
45 / 65 / 98 / 198 Kienbaumpark Stop

Cincinnatistraße 54
S2 Freisinger Bus 95 or 99

July 25, 2000

(1) EP 0 553 586 A1

The application relates to optical glass containing zinc as disclosed in Claim 1.

Reference is made to Prior Art Document (1). The compositions indicated there and in the Abstract can overlap with the compositions indicated in the application in at least all the components that must be present, and also with regard to the additional requirements indicated at the end of the claim regarding the sum of calcium oxide, strontium oxide, and zinc oxide. The indexes of refraction also overlap. Abbe coefficients are not indicated in (1), but on the basis of the compositions, they should also lie in the range indicated in the application.

Claim 1 is not issuable, because the object of the claim is glass that is to some extent disclosed by the prior art. The dependent claims perish along with Claim 1.

If the application is to be pursued, an application that is objectively differentiated from (1) must be filed.

The patent cannot be issued on the basis of the documents in their current form.

Office of Examination for Class C 03 C

[signature]

Dr. Mittereder

Ext. 4481

Att.: Copy of Prior Art Document (1) in triplicate